

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**


**DERRICK WEST, ON BEHALF OF
HIMSELF AND ALL OTHERS
SIMILARLY SITUATED,**

Plaintiff,

V.

**POT-O-GOLD RENTALS, LLC AND
DENNIS FLYNN, INDIVIDUALLY,**

Defendants.



CIVIL ACTION 4:25-cv-559

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF
TIME TO RESPOND TO PLAINTIFF'S ORIGINAL COMPLAINT**

Defendants **POT-O-GOLD RENTALS, LLC AND DENNIS FLYNN, INDIVIDUALLY** (collectively referred to as “Defendants”) move the Court to extend the time to file their responsive pleading to Plaintiff’s Original Complaint until April 9, 2025, and will respectfully show the Court as follows:

I. BACKGROUND & AUTHORITIES

1. This request is unopposed.
 2. On February 10, 2025, Plaintiff filed his Original Complaint.
 3. Plaintiff served the Defendants with notice of suit on February 26, 2025.
 4. The Defendants' responsive pleading is currently due on March 19, 2025.
 5. Pursuant to Rule 6(b)(1) of the Federal Rules of Civil Procedure, upon good cause,
- the Court may enlarge the period of time within which a defendant must serve their responsive pleading. *L.A. Pub. Ins. Adjusters, Inc. v. Nelson*, 17 F.4th 521, 524 (5th Cir. 2021) ("Federal Rule of Civil Procedure 6(b) permits a district court to extend the various timelines set forth in the Federal Rules of Civil Procedure."). "If done prior to the expiration of the time limit at issue, a

court may extend the period for any reason, upon a party's motion or even on its own initiative.”
Id.

6. The deadline for Defendants to file their responsive pleading has not expired.

7. This Motion is brought in good faith, not for the purpose of delay, and will not prejudice any party to this action.

II. PRAYER

The Defendants respectfully request the Court extend the deadline for the Defendants to file their responsive pleading to Plaintiff's Original Complaint by three weeks, until April 9, 2025.

Respectfully submitted,



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COUNSEL FOR DEFENDANTS

POT-O-GOLD RENTALS, LLC AND

DENNIS FLYNN, INDIVIDUALLY

CERTIFICATE OF CONFERENCE

I hereby certify, pursuant to Local Rule CV-7(h), that I have conferred with Plaintiff's counsel regarding this Motion by email, and Plaintiff is unopposed to the relief requested herein.



Antonio Ramirez

CERTIFICATE OF SERVICE

I certify that on March 19, 2025, a copy of the foregoing document was electronically filed on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on all known counsel of record pursuant to the Federal Rules of Civil Procedure.



Carmen Jo Rejda-Ponce

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ORDER

Defendants Pot-O-Gold Rentals, LLC and Dennis Flynn's *Unopposed* Motion for Extension of Time to Respond to Plaintiff's Original Complaint is **GRANTED**.

IT IS THEREFORE ORDERED that Defendants shall file a responsive pleading by April 9, 2025.

SIGNED this _____ day of _____, _____.

ALFRED H. BENNETT
UNITED STATES DISTRICT JUDGE